

**Indiana Oversight Committee on Public Records Policy #06-01**

**Application: Records Retention For All Agencies**

**Effective Date: July 1, 2006**

**General Subject: Acceptability of Electronic Media In Lieu Of Paper For Non-Archival Records With A Retention of Ten Years or Less**

**Background**

Indiana Code 5-15-1-1 (a) states that "Any officer, office, court, commission, board, institution, department, agent, or employee of the state, county, or any political subdivision being charged with the duty or authorized or required by law to record, preserve, keep, maintain, or file any record... may, whenever any such... employee of ... shall deem it necessary, for the purpose of recording or copying same, preserving and protecting same, reducing space required for storage or filing of same, or any similar purpose, have or cause to have any or all such records recorded, copied, or reproduced by any photostatic, photographic, micrographic, electronic, or other process which correctly and accurately copies or reproduces, recreates, or forms a medium of copying or reproducing the original record, document, plat, paper, or instrument-in-writing."

IC 5-15-1-1 (b) adds that "The original filing record may be destroyed if:

(1) the record has been copied or is capable of being reproduced or recreated under subsection (a); and

(2) the commission on public records, as to state records, or the commission of public records of the respective county, as to records of counties and other local units of government, has decided to destroy the original record."

With this in mind, and with a view towards reducing unnecessary storage of short-term paper records, it shall be the policy of the Commission on Public Records that:

**Any non-court records whose retention schedule states the records may be destroyed after a retention of ten (10) years or less, whether listed on the General Retention Schedule for all state agencies or on an agency-specific records retention schedule, may be converted from paper to electronic format, and the paper may be destroyed after verification of the electronic records for accuracy and legibility, provided;**

- 1) the imaging system has been approved by the Commission on Public Records before the conversion process begins,
- 2) it meets the Commission on Public Records standards for quality, migration, readability, and backup availability,
- 3) the agency can guarantee the records will be accessible for the life of the retention period,
- 4) an indexing system will be in place to allow for rapid recovery of electronic records, and
- 5) during the initial 12 months of the imaging program commencing, the original paper records will be retained to guarantee recovery should the system fail and should a failure occur, they shall be retained until the end of twelve months or until the problem is resolved, whichever is greater.